

GAHC010263352025



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**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : WP(C)/6968/2025**

ANJUWARA KHATUN  
W/O-ABDUR ROSHID, VILL-MAYER CHAR PT-II, P.O-NAYER ALGA, PS-  
BILASIPARA, DIST-DHUBRI, ASSAM PIN 783349

VERSUS

THE STATE LEVEL SCRUTINY COMMITTEE  
REPRESENTED BY THE DIRECTOR OF ELEMENTARY EDUCATION  
DEPARTMENT, ASSAM, KAHILIPARA, GUWAHATI-19

2:THE STATE OF ASSAM  
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM  
EDUCATION ELEMENTARY DEPARTMENT  
DISPUR  
GUWAHATI-6

3:THE DIRECTOR OF ELEMENTARY EDUCATION  
ASSAM  
KAHILIPARA  
GUWAHATI-19.

4:THE DISTRICT SCRUTINY COMMITTEE FOR ELEMENTARY EDUCATION  
REPRESENTED BY ITS CHAIRMAN CUM DEPUTY COMMISSIONER OF  
DHUBRI DISTRICT  
ASSAM. PIN-783301

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER  
DHUBRI  
DIST- DHUBRI  
ASSAM. PIN-783301.

6:THE BLOCK ELEMENTARY EDUCATION OFFICER

BILASIPARA  
DIST-DHUBRI  
ASSAM. PIN-783349

7:THE HEAD MASTER CUM SCRETARY  
UTTAR GHUNIMARI L.P SCHOOL  
VILL- MAYER CHAR PART-II  
P.O- NAYER ALGA  
P.SBILASIPARA  
DIST- DHUBRI  
ASSAM. PIN78334

**Advocate for the Petitioner** : MR. M U MAHMUD, MR S H MAHMUD,MR. M ALI

**Advocate for the Respondent** : GA, ASSAM, SC, ELEM. EDU

**BEFORE  
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**10.12.2025**

Heard Mr. M.U. Mahmud, learned counsel for the petitioner and Mr. S.M.T. Chistie, learned standing counsel for the Elementary Education Department.

**2.** The petitioner herein is aggrieved for non-provincialisation of her service as Assistant Teacher of Uttar Ghunimari L.P. School, although she has been rendering service since 18.07.2004.

**3.** Mr. Mahmud, learned counsel for the petitioner submits that Uttar Ghunimari L.P. School was provincialised w.e.f. 01.01.2013, vide order dated 09.12.2013, with 2 Posts (1 Head Teacher and 1 Assistant Teacher) and by Showing 1 post vacant. Mr. Mahmud also submits that the District Level Scrutiny

Committee had recommended the name of one Mugal Hussain, in place of the present petitioner. Thereafter, the petitioner had approached the District Elementary Education Officer, Dhubri (DEEO hereinafter) and realizing the mistake, the DEEO had written a letter to the Director of Elementary Education, Assam (DEE hereinafter). But, the same failed to evoke any response. Thereafter, she had approached this Court by filing a writ petition, being W.P.(C) No. 5945/2021, wherein this Court was pleased to direct the DEE to consider the case of the petitioner by the State Level Committee for provincialisation of her service in terms of the recommendation made by the District Level Committee, vide communication dated 07.05.2015 and 17.11.2018. Thereafter, the DEE had passed the order dated 01.10.2024, by which the claim of the petitioner was rejected and being aggrieved, the petitioner has approached this Court by filing the present petition.

**3.1.** Referring to two decisions passed by two Coordinate Benches of this Court, in W.P.(C) No. 3499/2014, dated 22.01.2019 and in W.P.(C) No. 6804/2017, dated 03.10.2018, Mr. Mahmud submits that the present petitioner is similarly situated with the petitioners of those two writ petitions and as such, similar relief may be granted to her also.

**4.** Having heard the submission of the learned counsel for the petitioner, it is provided that Mr. Chisite, learned standing counsel for the Elementary Education Department, shall obtain instructions as to whether the petitioners of W.P.(C) No. 3499/2014 and W.P.(C) No. 6804/2017 were appointed by the State in compliance with the direction passed in those writ petitions and if they have been appointed by the State, then their appointment letters shall be produced before this Court on the next date.

**5.** A copy of this order be furnished to Mr. Chistie, learned standing counsel

for the Elementary Education Department, during the course of the day.

**6.** List the matter on 18.12.2025, as part heard.

**JUDGE**

**Comparing Assistant**